



Annual Security & Fire Safety Guide

Jacksonville University | 2021 -2022





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A Message from the Director



“We will never allow comfort and convenience to get in the way of safety and security, when it comes to the safety and security of JU we will not cease, we will not stop.”

Kevin Bennett-Director, Campus Safety and Security, Jacksonville University

At Jacksonville University, integrity is indispensable to our mission. We act with honesty and adhere to the highest standards of moral and ethical values and principles through our personal and professional behavior. We demonstrate our understanding of these values and principles and uphold them in every action and decision. Trust and trustworthiness go hand in hand with how we conduct ourselves as we sustain a culture that is based upon ethical conduct. We accept our responsibilities, and subject ourselves to the highest standards of trust given to our Department by this University. We stand with unyielding commitment to the students, faculty, staff, and visitors to the University to provide a warm and welcoming environment in which to study, work and live.

The University is an integral part of the greater





Jacksonville area, nestled along the St. Johns River within a mixed residential and business community, the University is essentially a safe environment. However, we are not immune to crime. Every member of our campus community should remain alert and assume responsibility for our own personal safety and security as well as that of the University community. Personal safety and security are often dependent upon the individual decisions and actions that campus community members make. Students and employees are encouraged to utilize safety escort services to avoid walking alone on campus and to use all available information provided by local police and the Department of Safety and Security to make decisions that will reduce the possibility of victimization. Suspicious or threatening behavior, acts, words, individuals or vehicles should be reported immediately to Department of Campus Safety and Security and/or the Jacksonville Sheriff's Office.

I want to thank you for taking time to review our Annual Security and Fire Safety Report, which contains valuable information regarding campus safety, policies and procedures, and the value of our partnerships in maintaining the safety of the campus community. This report provides statistics for the previous three years of select reported crimes

that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by Jacksonville University. This report also includes safety and security policies and procedures and information on the basic rights guaranteed victims of sexual assault.

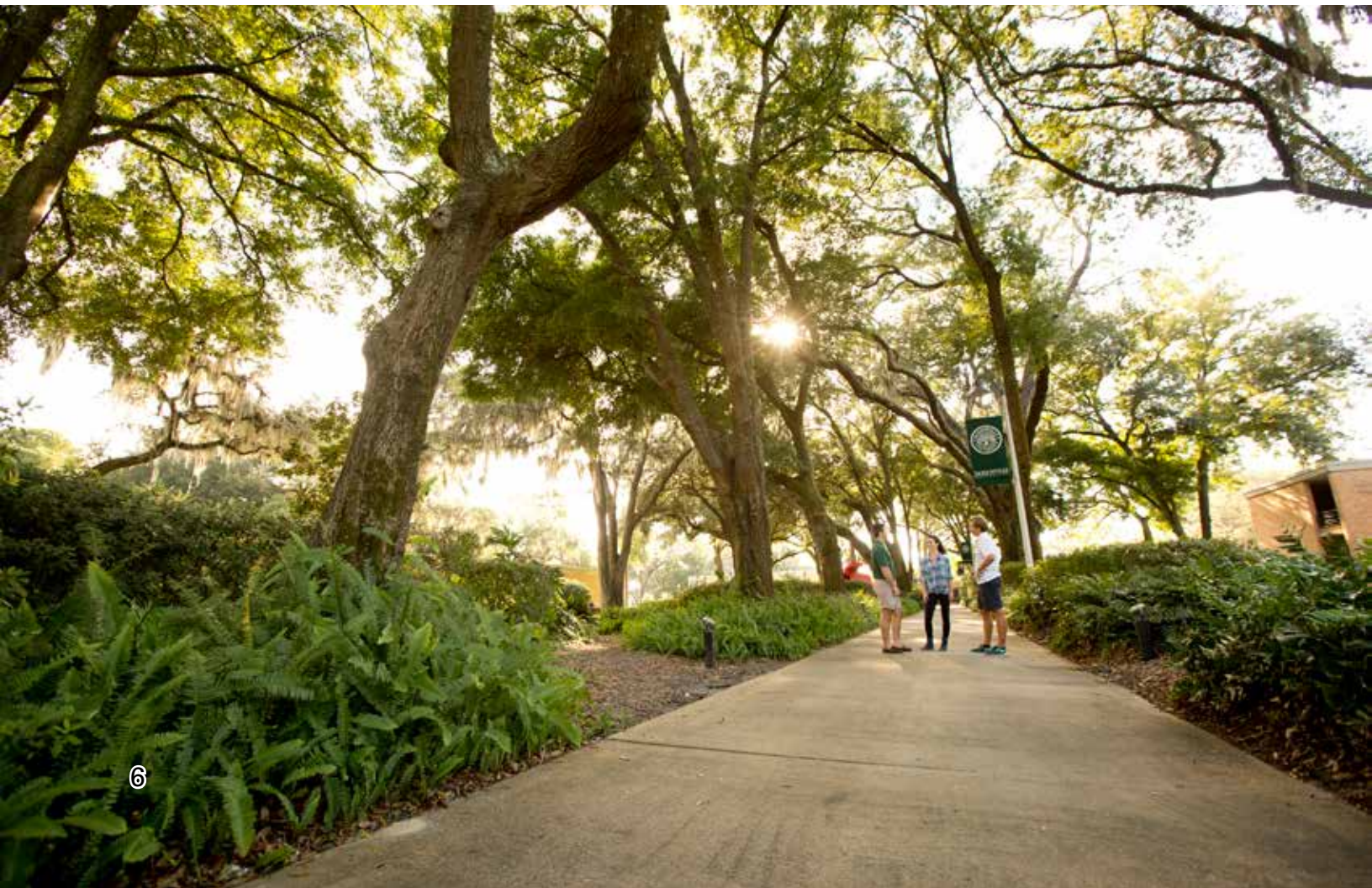
The report is provided to you as part of the University's commitment to safety and security on campus. It contains information on a variety of security services and programs available to you as members of the Jacksonville University community and is intended to inform the University community of Jacksonville University's safety programs and security procedures, as well as information regarding other safety and security measures that have been instituted at Jacksonville University.

This annual report includes a wealth of information about programs and activities that are designed to help you, and I encourage you to review it thoroughly. Working together, we can reduce safety risks so that we can all focus on reaching the goals that brought us to this great University.

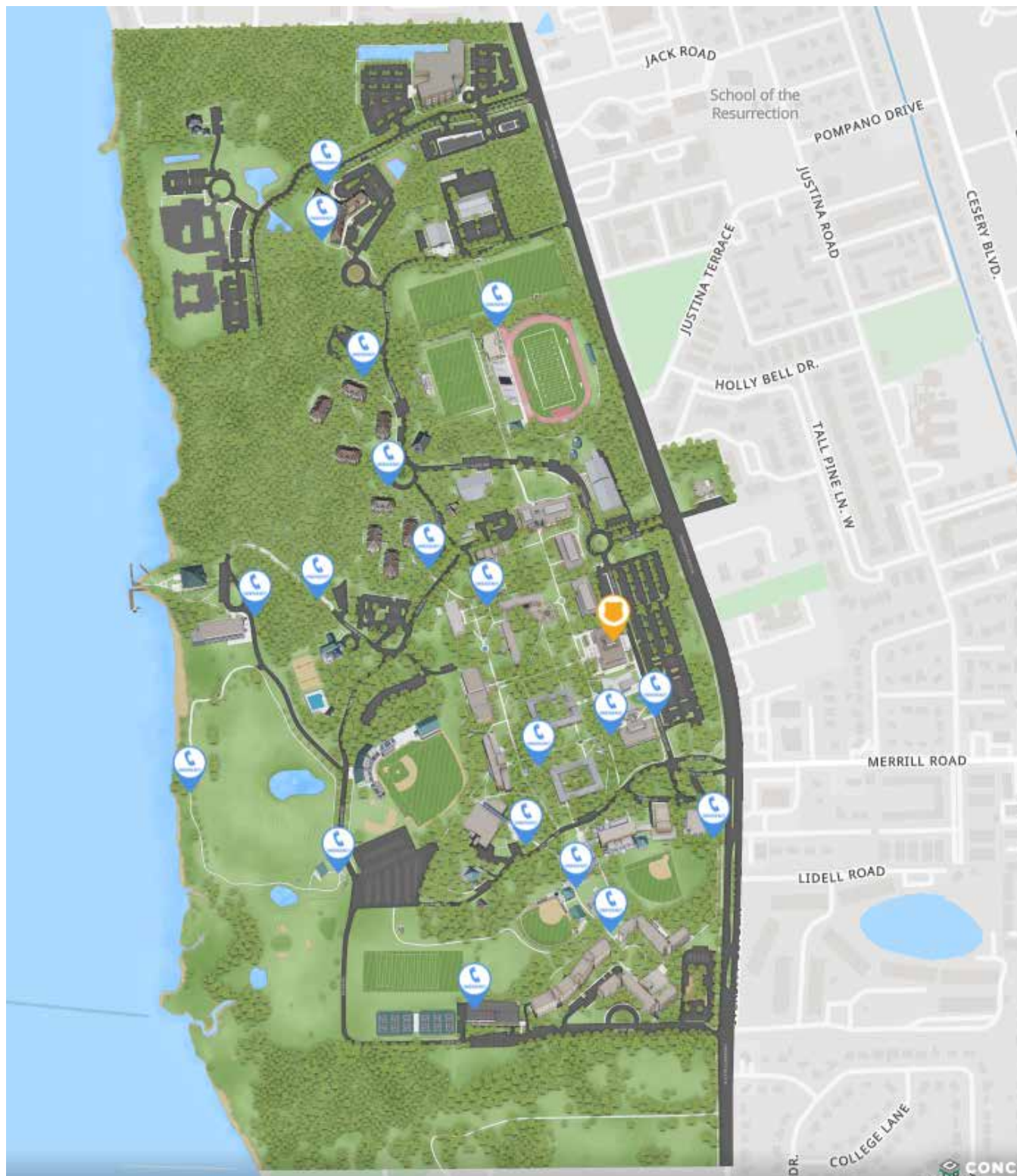
The Annual Safety and Fire Report

This report meets all compliance standards as established by the federal Student Right-To-Know and Campus Safety and Security Act, which is known as the Jeanne Clery Disclosure of Campus Safety and Security Policy and Campus Crime Statistics Act (Clery Act). The report reflects recent amendments to the act to include the Violence Against Women Act as well as additions to the reporting requirement as specified by the Higher Education Opportunity Act. This report is available to all current students, employees and upon request by the general public. It is available online, in the Department of Campus Safety and Security and is provided to any applicant for enrollment or employment. The information can be accessed online by visiting the Department

of Campus Safety and Security web page under Student Affairs on the Jacksonville University web site at: <https://www.ju.edu/campussecurity/campusafety/index.php>. The link to this and other related documents can be found on this page. A hard copy can be requested by contacting the Campus Safety and Security Department at (904) 256-7585, by emailing campus.security@ju.edu, or by making a written request to Jacksonville University, Department of Campus Safety and Security, 2800 University Blvd N, Jacksonville, FL 32211. This handbook is designed to acquaint you with all the specific elements of safety and security at the University. We hope it will become a useful tool in your day-to-day life on campus.



Welcome to JU



Phones denote the locations of blue light phones around campus. These phones are strategically placed around campus to allow Students, Faculty, Staff, and Visitors the ability to contact the Department of Campus Safety and Security without the use of personal devices.

General Campus Safety and Security Policies

The Department of Campus Safety and Security is the primary security agency on campus. Campus Safety and Security Officers are not sworn police officers and are not empowered to make arrests or carry firearms. They are proprietary security officers/investigators who work directly for Jacksonville University.

The department's physical location is:

Howard Building First Floor
University Oaks Dr
2800 University Blvd N
Jacksonville, FL 32211

A telephone is the fastest way to get help on the University campus. Campus Safety and Security can be reached by calling extension 7585 from any phone on campus including those in the residence halls. From off campus, call (904) 256-7585. For all emergencies requiring response by emergency medical personnel or sworn law enforcement call, 9-1-1.

The Department has established policies and procedures for the documentation and investigation of incidents on campus including the collection of physical evidence, photographs, video or audio surveillance, and written or recorded statements (University Policy 300/1.1). In cases where law enforcement officers have initiated an investigation internal and administrative investigations may be delayed until the conclusion of law enforcement investigative efforts. State statute and Departmental policies authorizes investigations to be conducted both on and off campus by authorized personnel acting as an investigator employed directly by the University and investigating matters that affect the University.

Access Control to Facilities

Jacksonville University's campus is private property. Entrance and access to campus facilities are restricted to registered students, faculty, legitimate visitors and employees of the University. All others will be asked to leave the campus. All student housing is located on the campus of Jacksonville University. There are no residential housing facilities owned or leased by the University that are located off campus. The main entrances to the residence halls are locked and access is restricted to resident students with keys or access cards to their particular residence hall. Doors with key or card access are also available in other residential housing areas and academic buildings. Residential Life staff and Campus Safety and Security are responsible for enforcing all on-campus regulations including, but not limited to, the campus visitation policies. Access to the non-residential buildings is generally limited to the hours between 8:00 a.m. and 10:00 p.m., Monday through Saturday. Some of these buildings may be secured early while others may remain open beyond 10:00 p.m. or on weekends for special events or other special programming. Individuals who wish to access buildings or property during non-operating hours or for special events should contact the Office of Strategic Events and Campus Experience to arrange for access.





The undeveloped areas of campus, north of the Village Apartments and west of Alumni Drive, are off limits to all persons. At night some areas of campus do not have lighting. Employees and students are strongly discouraged from entering these areas and should consider these areas off limits for safety reasons. Athletic fields are restricted to scheduled use. Students and employees are encouraged to use intramural fields for recreation when they are not being used for formal intramural programs or other organized activity.

Campus entrances, with the exception of the Merrill Rd. entrance at Dolphin Dr. are closed daily beginning at 6:00 p.m. and 6:30 p.m. and remain closed until 5:00 a.m. The Department of Campus Safety and Security operates a Access Control Booth from 6:00 p.m. until 5:00 a.m. located at the Merrill Rd. entrance at Dolphin Dr. All residential and visitor traffic is monitored seven nights a week during periods of normal operations. Extended hours for access control exist when the University is closed or during holiday breaks. For safety reasons employees and students are encouraged to check in with the Department of Campus Safety and Security if they will be on campus or in University buildings during holiday breaks or after hours. Students who display valid parking decals will be momentarily stopped,

identified by presentation of their Student ID, and then allowed to pass through the gate. All others will be stopped, identified and may be allowed to enter the campus provided there are legitimate reasons for entering. All members of the University community and their visitors are expected to abide by University rules and regulations.



Security and Maintenance of Campus Facilities

The department maintains a regular inspection of campus lighting. Personnel perform routine checks for safety hazards and ensure the proper functioning of the emergency phones. Problems discovered are reported to the Facilities Services Department using an automated repair system and are monitored for repairs.

The University strongly recommends that all persons maintain insurance coverage for all items of personal property. Students and employees are advised against keeping large sums of money or other valuables in their rooms, offices, storage areas, or automobiles. Stolen and/or damaged property should be reported to your insurance carrier for claims processing information and if warranted, to local law enforcement authorities. The University assumes no responsibility for items lost or stolen from rooms, offices, automobiles, storage areas, or other areas on campus.





JU Alert Emergency Notification

JU Alert is the program utilized to notify/alert University employees, students, and visitors of an on-going emergency affecting the University. An emergency is a condition having a direct impact on normal operations of the University and, which has an immediate effect on the safety or security of students, employees, or visitors to the campus. An emergency may occur on University property or may be occurring off campus. Reports of an interruption to campus operations should be immediately forwarded to one of the following persons for evaluation and confirmation by security personnel and a decision rendered to activate an alert:

- Senior Vice President Marketing and Communications
- Senior Vice President Student Affairs
- Assistant Dean of Students
- Associate Dean of Students
- Director of Residential Life
- Executive Director of University Services
- Director of Campus Safety and Security

Reasons for JU Alert activation may include, but are not limited to, any of the following conditions:

- Ongoing act or threat of violence with a weapon or explosive device
- Other serious crime
- Extreme Weather Emergencies (Tornado Warning)
- Chemical/Hazardous Material Spill or Incident
- Building Fire(s)

Once an emergency message has been prepared by one or more of the aforementioned members it will be delivered without delay. Methods for communicating emergency and safety information to students and employees may include one or a combination of the following methods:

- Local Audible Siren
- Use of App Armor Alert (JU Alert) for email, text and phone messages
- JU News e-mails and all student e-mails (Communications and Marketing)
- JU Website (Communications and Marketing)
- JU Social Media (Communications and Marketing)
- JU Mobile Safety App
- App Armor Desktop

Testing Emergency Notification Systems:

Planned testing of the audible siren will occur on a routine basis and will be preceded with informational messages about the testing date and approximate time. Campus Safety and Security Dispatchers and administrative personnel will have notice of the test in order to prepare for phone inquiries. Unannounced tests may be planned to test the effectiveness of the systems and University response.

Any member of the Emergency Management Team can initiate the emergency notification system. Immediate threats should be reported to the Campus Safety and Security Department, Jacksonville Sheriff's Office, or a member of the Residential Life professional staff. An evaluation will be made by the receiving employee of the nature and exigency of the threat to determine whether the activation of an alert message is required.



Campus Evacuation Policy and Procedures

The Emergency Management Team, upon receiving instructions from the President, will announce evacuation of all or part of the campus grounds. All persons (e.g., students, staff, and visitors) are to immediately vacate the area identified as the evacuation zone and relocate to another part of the campus grounds or leave the campus as directed. Jacksonville University shall participate in emergency tests or evacuation drills at least annually in order to assess and evaluate emergency procedures and capabilities. The Department of Campus Safety and Security will document each test, including the date, time, and whether it was announced or unannounced.





Reporting a Campus Incident

In the event of an emergency you are advised to call the local police (Jacksonville Sheriff's Office), and/or fire or emergency medical service (Jacksonville Fire & Rescue Department). This can be accomplished by dialing 9-1-1 from any telephone on campus. These professionally trained law enforcement officers and medical emergency personnel are the first responders to all emergencies on campus. A call to Campus Safety and Security should also be placed in order for one of our officers to respond since we are already on campus. For non-emergency matters you can contact the Campus Safety and Security office at (904) 256-7585. If you are close to one of the blue-light phones located on campus, simply push the button and Campus Safety and Security personnel will respond to your location and/or send emergency assistance to you.

All incidents of criminal occurrence, property loss, assault, threat, injury or potential crime must be reported. At a minimum these occurrences should be reported to Campus Safety and Security, and it is strongly recommended that a report be made with the Jacksonville Sheriff's Office. All members of the community are strongly encouraged to report any suspicious activity they observe on campus.

Safety and security for our campus community is everyone's business.

While no written agreement exists between the University and Jacksonville Sheriff's Office, members of the Campus Safety and Security Department work cooperatively with the Sheriff's Office and other law enforcement agencies to investigate and resolve reported criminal activity. The Sheriff's Office makes routine patrols through the campus in addition to being assigned on campus every day and night of the week, supplementing our security staff.

Awareness Programs

In support of its Federal Compliance Policy, Jacksonville University has implemented a drug awareness program to acquaint employees with the serious health risks associated with the use of drugs and alcohol; the dangers of drug abuse in the workplace; the availability of counseling, rehabilitation and employee assistance programs; and the penalties imposed on employees for drug abuse violations.

Community Resources

Rape Crisis Center (24 hours)
(904) 358-7273

Hotline (24 hours)
(904) 632-0600

Victim Services
(904) 630-6300

Family Counseling Services
1639 Atlantic Blvd, Suite 101 396-4846

Gateway Community Services
555 Stockton St.
(904) 387-4661

Mental Health Resource Center
11820 Beach Blvd.
(904) 642-9100

Suicide Hotline
1-800-SUICIDE

NOTE: Additional resources available for our University community can be located in Appendix B of this document.

Support Groups

Outpatient Pastoral Counseling Center
(904) 398-2437

Al Anon
(904) 350-0600

Narcotics Anonymous
(904) 723-5683

Jacksonville University has adopted a Drug-Free Schools and Campus policy. This policy complies with the Drug Free Schools and Community Act (Public Law No. 101-226, title 34 C.F.R., 86) and includes a description of drug and alcohol abuse education, resource programs, and agency locations



Counseling Services

The Student Counseling Center (SCC) of Jacksonville University is the primary source of wellness and mental health services on campus. Services include: individual and group counseling; crisis counseling; consultation; referral; and outreach/educational programming. The SCC is located in the rear portion of the Health Science Complex. Operating hours are 8:30 a.m. to 5:00 p.m. Monday through Friday.

Counseling and consultation services are provided for a wide range of personal concerns including alcohol/drug problems, family concerns, adjustment issues, homesickness, depression, anxiety, eating disorders, roommate conflicts, relationship issues as well as other issues. Brochures and educational material are available on many of these topics. SCC staff present on a wide variety of life skills topics through our SPLASH program. For more information about services or to make an appointment, call (904) 256-7180 or stop by the office.



Personal Safety and Security

On Campus

The Department of Campus Safety and Security operates 24 hours a day, seven days a week. Its main function is to provide patrol and physical security services to the community. Our officers patrol the campus on foot, bicycles, vehicles and golf carts.

The Department of Campus Safety and Security will provide timely information regarding campus incidents by utilizing numerous mediums, to include: e-mail; flyers; the Navigator; or posted notices. A record of all criminal activity is available in the Daily Crime Log. The crime log is available for public inspection in the Campus Safety and Security Office.

As discussed previously, for emergencies, the University's, JU Alert system may be activated, which includes a local emergency siren followed with emergency messages to the campus community through a various means (e.g., siren, e-mail, text, automated phone call messages).

The actions taken by each member of the University community to increase security can prevent a crime from taking place on our campus. By following the guidelines listed below you can have an impact on your own personal safety, the safety of others, and the overall safety of our institution.

- Lock all doors in your office, room and vehicle.

- Do not prop locked doors open, especially residential hall or individual room doors.
- Never walk alone. Always walk with a partner or in groups.
- Report all suspicious activity or persons to Campus Safety and Security.
- Stay in well-lighted areas on the campus. Avoid the undeveloped areas of campus.
- Use your door peephole to identify visitors.
- Never escort or allow a stranger onto your hall.
- Report broken or damaged locks to Campus Safety and Security.
- Always carry your keys and Dolphin1 card with you.
- Do not duplicate your room key.
- Do not give out personal information over the phone.
- Report all harassing or obscene phone calls to Campus Safety and Security and/or Jacksonville Sheriff's Office.
- Report all solicitors to Campus Safety and Security.
- Lock all windows in your office and your room.
- Never allow a stranger to come into your room or office to use your phone.
- Never leave your purse, wallet, money, or other valuables in an unsecured office, gym locker, or dorm room.
- Keep a log of all valuables along with pictures and serial numbers of the items. Consider

emailing a photograph of your valuables as well as copies of your important documents to your personal email account to maintain a record of them.

- When you leave your room tell a friend where you are going and when you will return.
- Always lock your room. Do so even if you are only going down the hall.
- Never walk alone. Call for an escort to and from parking areas by dialing (904) 256-7585.
- Make a photocopy of all valuable information and keep it in a safe place.
- Do not offer a ride to individuals you don't know.
- Never ride with a stranger.
- Report to Campus Safety and Security any suspicious persons, vehicles or questionable activity.
- Always follow residence hall visitation policies.

On The Street

- Be alert, constantly looking around as you walk. Be aware of other people on the street, avoiding distracting behaviors such as texting, talking on the phone, or listening to an audio device with a headset. Make it difficult for anyone to surprise you.
- Do not read while walking or standing on a sidewalk.
- Women should carry their keys in hand as a defense weapon.
- Do not walk alone. Always walk with a friend.
- Stay on well-lighted streets and sidewalks.
- When walking, walk in the middle of the sidewalk and walk facing on-coming traffic.
- If you think you are being followed, look behind you and cross the street. Go to a populated area and call the police.
- If a car is following you, do not walk toward the vehicle. Change direction and head for a store or another high traffic area. If possible, get a description of the vehicle and occupants for the police.
- Avoid being on the street alone if you are upset or under the influence of alcohol or drugs.

In Your Car

- Park only in designated parking lots and spaces.
- Have your keys ready when you approach your vehicle.
- Keep your car in good working order and the gas tank at least half full.
- When you approach your vehicle, visually check the area around the vehicle for any suspicious person or activity. If you observe anything suspicious walk to where there are people and call police.
- If you have a vehicle problem, contact Campus Safety and Security. Be suspicious of anyone who seems to instantly appear to offer help. Criminals often disable cars as a means of approaching the victim.
- If someone approaches your vehicle and attempts to enter, blow your horn to attract attention and drive away.
- Check the back seat before you enter your car.
- Lock all doors while parking or driving.
- Do not leave your keys in the ignition with the engine running, even if just for a second.
- If you are being followed, drive to a police station, sub-station or a crowded parking lot and attract someone's attention. Do not drive home where someone can learn your address.
- Do not stop for stranded motorists. You will be more help if you call the police for them.





In Elevators

- If you do not feel comfortable getting into an elevator, use the stairs or call Campus Safety and Security for assistance. When using the elevator, if a stranger or a person that makes you feel uncomfortable enters, stand near the controls and sound the emergency alarm should you feel threatened.
- Avoid entering an elevator which is occupied by only one other person who is a stranger.

On A Bus

- Always meet busses at well-lighted bus stops.
- Sit near the driver and do not hesitate to inform him/her if someone is bothering you.
- Never get off a bus in an isolated area.
- Always be alert as to who gets off the bus with you.

Missing Residential Life Students

The following policy pertains to missing residential students. A report of a missing student may come from a variety of sources, including; roommates, teaching faculty, family members, or parents and guardians. If you suspect a student is missing, make your initial report to the Department of Campus Safety and Security, Dean of Students Office, or a member of Residential Life Staff. Upon receipt of a report of a missing student, University officials, including the Dean of Students, Residential Life, and Campus Safety and Security, will begin an investigation in an effort to determine the location of the student. This investigation will include contacting known associates, friends, student activity groups, parents or other family members, roommates, and faculty. These early investigative efforts should also include; a description of the student and last known apparel, the last known location, date/time seen and by whom, mental condition, physical condition (under the influence of drugs or alcohol) possible destination, and any unusual circumstances



that precipitated the disappearance.

Failing to locate and make contact with the student will result in the notification of the listed emergency contact on file with the University. The Jacksonville Sheriff's Office will be notified in all cases regardless of the age of a missing student. The listed emergency contact is considered the student's confidential contact person currently on file with the University. It is the student's responsibility to keep this information current. This notification will occur in less than 24 hours if a student is not located or there has been no contact with him or her. If it is determined that the individual has been missing for more than 24 hours, notifications to both the listed emergency contacts and law enforcement will be made immediately. These notifications and reports will be made by the Division of Student Affairs. It should be noted that there is no time limitation with regards to the duration a person has been missing and the actual reporting of someone missing to authorities. Circumstances vary and may prompt immediate reporting (e.g., mental or physical condition, life sustaining medications, any other unusual circumstances).



Drug and Alcohol Policies

Jacksonville University's policy regarding the use of drugs and alcohol is clear: unlawful manufacture, distribution, dispensation, possession, or use of drugs or alcohol in or on University owned or controlled property is prohibited. Student Standards of Conduct and Sanctions for violations of Drug and Alcohol Policies can be found in the Student Handbook (Green Pages).

In addition to sanctions imposed by the University for drug and alcohol violations, state, or local laws may apply. There are several state statutes and local municipal ordinances that can be applied for both alcohol and drug violations. This includes the unlawful possession or distribution of illicit drugs or alcohol. Depending on the violation, penalties upon conviction can range from a fine or a term of imprisonment or both. The Jacksonville Sheriff's Office may be requested to investigate any or all violations of drug and alcohol laws just as with any crime committed on University owned or leased property. This investigation will be in conjunction with the investigation that will be conducted by the Department of Campus Safety and Security.

Additional information on alcohol and drug violations is discussed in the Green Pages/Code of Conduct. A list of alcohol and drug law violations along with associated legal penalties can be found in Appendix A, of this document. For additional information regarding criminal offenses contact the Department of Campus Safety and Security.





Employee Drug and Alcohol Policies

In compliance with Federal law, it is the policy of Jacksonville University to maintain a drug-free workplace in order to promote the health and safety of our employees, our students, and the general public. Jacksonville University prohibits the unlawful manufacturer, distribution, dispensation, possession or use of controlled substances on University owned or controlled property. No employee shall report to work while under the influence of drugs or alcohol.

Pursuant to Section 5153 of the Omnibus Anti-Drug Abuse Act of 1988, and the Drug Free Schools and Workplace Act of 1988, any employee convicted of a violation in the workplace of any criminal drug statute is required to notify Jacksonville University within five (5) days of the conviction. In order to comply with the provisions of Federal Law, Jacksonville University will then notify any Federal contracting agency within ten (10) days of a notice of conviction when said employee is engaged in the performance of a Federal contract or grant.

In support of its Federal Compliance Policy, Jacksonville University has implemented a drug awareness program to acquaint employees with the serious health risks associated with the abuse of drugs and alcohol; the dangers of drug abuse in the workplace; the availability of the counseling, rehabilitation and employee assistance programs; and the penalties imposed on employees for drug abuse violations.

Condition of Employment

As a condition of employment, all University employees will abide by the terms of the foregoing statements. Jacksonville University is committed to enforcement of federal, state, and local drug and alcohol laws. All reported violations of these policies are considered serious matters and will be referred to the appropriate law enforcement agency.

Weapons Policies

Possession, use or storage of any weapon is prohibited on University property and at University sponsored events.

For purposes of this policy, “weapons” include but are not limited to: (a) firearms such as handguns, shotguns, rifles, pellet/BB guns, machine guns, stun guns or other electronic stun weapon/device or any facsimile thereof, including any ammunition; (b) explosives, such as bombs, grenades, blasting caps, black powder, firecrackers, or other containers containing explosive/incendiary substances; or (c) other equipment, material, and devices that, in the manner they are used could ordinarily be used, or are readily capable of causing serious bodily injury. The items described in clause (c) include but are not limited to, knives (excluding small personal pocket knives with folding blades that are less than three (3) inches in length or cutlery (used for cooking purposes), tear gas/chemical dispensing devices other than a small chemical dispenser allowed under Florida State Statute and sold commercially for personal protection, brass knuckles, martial arts weapons, clubs or chains.

Violations of this policy will result in disciplinary actions up and/or including; suspension, dismissal; and referral to local law enforcement authorities. All weapons as described above will be immediately confiscated by University officials and will not be returned.

The University is specifically exempted from Florida State Statute 790.251 allowing the storage of firearms in private vehicles. The only exception to this policy is for law enforcement officers who are authorized to carry weapons and firearms in the performance of their duties or when authorized by their agencies to carry firearms while off duty.

Sexual Predator and Offender Information

The Federal Campus Sex Crimes Prevention Act requires registered sex offenders/predators to provide to the Florida Department of Law Enforcement notice of each institution of higher education in the state at which the offender/predator is employed, carries on a vocation or is a student. Any member of the Jacksonville University community who wishes to obtain further information regarding sexual offenders/predators in this area may refer to the FDLE Web site at: <http://offender.fdle.state.fl.us/> or call 1-888-FLPREDATOR (1-888-357-7332).

Preventing Sexual Assault

Common sense precautions such as those outlined in the Personal Safety and Security on Campus section of this document should always be followed in order to help reduce the possibility of victimization. As in all areas of our society the possibility of sexual assault exists. Be aware that both men and women can become victims of sexual assault and that any unwanted sexual contact from touching to rape constitutes such.

Students and employees wishing to obtain information on campus sexual assault may contact the Department of Campus Safety and Security, the Counseling Center or the Student Affairs office. The Department of Campus Safety and Security

offers a 24-hour a day safety escort service for all JU students and staff. The campus sexual assault policy including definitions, campus discipline, victim's rights and victim services can be found in the Student Handbook (Green Pages). Anonymous reports of sexual assault are not taken by Campus Safety and Security officials.

Protect Yourself Against Sexual Assault

Remember: You Always Have the Right to Say "NO" Even if:

- You have been drinking or used another intoxicant
- You're wearing sexy clothes
- You have been flirting
- You have been "making-out"
- You have had a previous sexual relationship with the person
- You said "yes" then changed your mind
- "NO" means "NO" no matter what



The following should be considered if a sexual assault occurs

- Reporting a sexual assault is important but not required; however, a victim of a sexual assault has several reporting options. When a victim desires to report the incident, he/she may contact a member of the Department of Campus Safety and Security, the Jacksonville Sheriff's Office (dial 9-1-1 on campus for emergencies or (904) 630-0500 for non-emergency reporting), a member of the Student Counseling Center, or any school official.
- Preservation of evidence is important to a sexual assault case. A victim of a sexual assault is cautioned not to change or remove clothing or disturb anything at the scene until medical care is received and the collection of any evidence is completed.
- A formal report to Campus Safety and Security officials is not required if students seek services at the Student Counseling Center.

Timely Warning

Timely Warnings and Emergency Notifications:

Campuses are required to issue a timely warning to the entire campus in the event that a reported crime (Clery Act crime) poses a serious or on-going threat to the campus community. There are certain instances when a campus may withhold information or a warning (compromise an investigation, identify a victim). The university must determine whether or not a warning should be issued on a case by case basis. In the event of a significant emergency or dangerous situation (including weather, illness outbreak) presenting an immediate threat to the health or safety of the campus community, the uni-



versity may issue an emergency notification. This is to notify the campus population of an immediate danger or risk. This notification can be segmented to a specific area of campus.

Notification Procedures

1. Most crime events or emergency situations on campus are going to be identified by students, faculty, staff or visitors. If students, faculty, staff, or visitors are involved in or witness a life-threatening emergency, it is essential for them to immediately call 9-1-1 and then Campus Security.
2. Non-emergency crimes committed on or near JU should be reported to any CSA as defined above and the Department of Campus Security. The CSA who observes or receives information regarding one of the Clery Act crimes must immediately report the information to Campus Security.
3. Any reported crime posing a serious or continued threat to the campus community will be called to the attention of the senior most security official.
4. Once it is determined that a timely warning is necessary, as practical and without jeopardizing life safety, trained and authorized personnel

shall initiate the ENS alert systems used during a life-threatening major emergencies. Trained and authorized individuals include: (a) Campus Safety and Security Director; if he/she is not available or capable of activating; (b) the Campus Safety and Security Command Staff, if he/she is not available or capable of activating; (c) the Campus Safety and Security Shift Supervisor.

5. If the situation requires activation of the University-wide alerting system, the individuals listed below are authorized to activate all University-wide delivery methods used during a life-threatening major emergencies: (a) Director of Campus Safety and Security; (b) Sr. VP of Marketing and Communications; or (c) Sr. VP Student Affairs.
6. The Director of Campus Safety and Security, Sr. VP Student Affairs and Sr. VP of Marketing and Communications will collaborate to determine the content of an emergency notification message and the appropriate delivery method.

Regardless of which notification methods are utilized, to the recipient, all emergency notification and warning messages come from the ENS system which consists of the following delivery methods:

- I. Primary (immediate):
 - A. App Armor Desktop
 - B. App Armor Emergency Alert system for mass email, SMS Text Message and phone messaging
 - C. JU mobile safety app
 - D. JU Website
 - E. Facebook Page
 - F. Twitter
 - G. Employee Phone Tree Notification Procedures
- II. Secondary (15 minutes and beyond):
 - A. Student & Employee Hotlines
 - B. Media Release/Press Conference





Title IX

Introduction

Policy Statement: Jacksonville University is committed to creating and maintaining a living, learning and working environment that is free from unlawful discrimination based on gender in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights act of 1964 (Title VII), which prohibits gender discrimination in employment; and the Campus Sexual Violence Elimination Act, Clery Act, and the Violence Against Women Act (VAWA). Sexual Harassment and Retaliation under this Policy will not be tolerated by Jacksonville University and is grounds for disciplinary action, up to and including, permanent dismissal from JACKSONVILLE UNIVERSITY and/or termination of employment.

Purpose: Jacksonville University takes all reported sexual misconduct and harassment seriously. Jacksonville University will promptly discipline any individuals within its control who are found responsible for violating this Policy. Additionally, reported sexual misconduct and harassment that does not meet the definitions and jurisdiction of this Policy will be referred for review to the Senior Vice President of Student Affairs and Dean of Students if

allegedly committed by a student or the Director of Human Resources if allegedly committed by an employee under the respective in compliance with VAWA and Clery Act.

Applicability: This Policy applies to students and employees as follows:

1. To Students: Where the Respondent is a student at Jacksonville University at the time of the alleged conduct, the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in Jacksonville University's Education Program and Activity, the alleged conduct occurs against a person in the United States, and the Complainant is participating in or attempting to participate in Jacksonville University's Education Program or Activity.



2. To Employees: Where the Respondent is an employee at Jacksonville University at the time of the alleged conduct, where the alleged conduct includes Sexual Harassment under this Policy, the alleged conduct occurs in Jacksonville University's Education Program and Activity, the alleged conduct occurs against a person in the United States, and the Complainant is participating in or attempting to participate in Jacksonville University's Education Program or Activity.

Title IX Coordinator and Key Title IX Officials:

The Title IX Coordinator is the Jacksonville University administrator who oversees Jacksonville University's compliance with Title IX. The Title IX Coordinator is responsible for administrative response to reports and Formal Complaints of Sexual Harassment. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain Jacksonville University policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Deputy Title IX Coordinators to facilitate these responsibilities.

Any member of the Jacksonville University community may contact the Title IX Coordinator with questions. Title IX Coordinator and Deputy Title IX Coordinator contact information is as follows:

TITLE IX COORDINATOR

KRISTIE GOVER, ED.D.

Senior Vice President of Student Affairs and Dean of Students

Phone: (904) 256-7067

Email: kgover1@ju.edu

DEPUTY TITLE IX COORDINATORS

ALLANA FORTÉ

Chief People and Culture Officer

Phone: (904) 256-7549

Email: aforte@ju.edu

KEVIN BENNETT

Director of Campus Security

Phone: (904) 256-7585

Email: kbennet1@ju.edu

DAVINA HAMILTON

Associate Dean of Students

Phone: (904) 256-7067

Email: dhamilt3@ju.edu



In addition to the Title IX Coordinator, Jacksonville University appoints investigators, decision makers and informal resolution facilitators who have roles in the formal grievance process more fully explained in Sections 6, 7, and 8 of this policy.

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on gender stereotypes and will provide impartial investigations and adjudications of Formal Complaints of Sexual Harassment. All materials used to train these administrators will be publicly made available on Jacksonville University's website in accordance with Title IX require-

ments.

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

Notification: Jacksonville University will use University electronic mail (email) for purposes of communication and notification under this Policy.

Free Speech: Freedom of speech and principles of academic freedom are central to the mission of institutions of higher education. Constitutionally protected expression cannot be considered Sexual Harassment under this Policy.

Dissemination of Policy: This Policy will be made available to all Jacksonville University administrators, faculty, staff, and students online at <https://www.ju.edu/titleix/index.php> and in Jacksonville University student catalog(s) and any employee handbook of operating procedures.

Effective Date: The effective date of this Policy is August 14, 2020.

Retaliation and False Statements Prohibited: Neither Jacksonville University nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this Policy or because the individual has





made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

1. Alleged violations of Retaliation will be referred to the Senior Vice President of Student Affairs and Dean of Students or designee to be investigated and resolved under the respective Code of Conduct.
2. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Policy.
3. Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy does not constitute Retaliation prohibited under Policy. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Amnesty: Reporting Sexual Harassment is encouraged at Jacksonville University. Thus, it is imperative that Complainants and witnesses share information without fear of potential consequences for minor policy violations including, but not limited to, underage consumption of alcohol or the use of illicit drugs. Jacksonville University offers parties and witnesses amnesty from such minor violations but may include educational opportunities for individuals in lieu of a finding of responsibility or punitive sanctions.

Other University Policies: This Policy takes precedence over other University policies and procedures concerning Sexual Harassment under Title IX in the event of a conflict.

Conflicts of Interest: No employee or their immediate relatives (spouse, parents, brothers, sisters, or children, and their spouses) should engage in outside interests conflicting in fact or appearance with the interest of the University which may influence the judgment or action of the employee in the conduct of the University's business. These interests include serving or selection as an officer, employee, consultant, or sharing in profits or other results, or receiving payment, gifts, service, entertainment, or other substantial benefits or promises from any University supplier, customer, or their agent. Any person having a question concerning a possible conflict of interest should contact the Office of Human Resources.

Alleged violations of the student or employee Code of Conduct that rise from the same events as alleged Sexual Harassment under this Policy will be investigated and resolved under the grievance process in this Policy unless the Sexual Harassment has been dismissed under Section 5.2 of this Policy.

Definitions

Definitions of Prohibited Conduct Under this Policy

1. **Sexual Harassment** means conduct on the basis of sex that satisfies one or more of the following:
 - I. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (*Quid Pro Quo*);
 - II. Unwelcome conduct determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
 - III. Sexual Assault, Dating Violence, Domestic Violence or Stalking as defined in this Policy.
2. **Sexual Assault** means an offence classified as a forcible or nonforcible sex offence under the uniform crime reporting system of the Federal Bureau of Investigation including Rape, Fondling, Incest, and Statutory Rape as defined in this Policy.
3. **Rape** means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Consent of the victim.
4. **Fondling** means the touching of the private body parts of another person for the purpose of sexual gratification, without the Consent of the victim, including instances where the victim is incapable of giving Consent because of his/her age or because of his/her temporary or permanent mental Incapacity.
5. **Incest** means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Florida law.
6. **Statutory Rape** means sexual intercourse with a person who is under the statutory age of Consent.
7. **Dating Violence** means violence committed by a person—
 - I. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - II. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - A. The length of the relationship,



- B. The type of relationship,
- C. The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

8. Domestic Violence includes felony or misdemeanor crimes of violence committed by:
 - I. a current or former spouse or intimate partner of the victim,
 - II. a person with whom the victim shares a child in common,
 - III. a person who is cohabitating with or has cohabitated with the victim as
 - IV. a spouse or intimate partner,
 - V. a person similarly situated to a spouse of the victim under the domestic
 - VI. or family violence laws of Florida, or
 - VII. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Florida.
9. Stalking means engaging in a Course of Conduct directed at a specific person that would cause a Reasonable Person to—
 - I. fear for their safety or the safety of others; or
 - II. suffer Substantial Emotional Distress.

Definitions Related to Sexual Harassment: Consent, Course of Conduct, Incapacitation, Reasonable Person, Substantial Emotional Distress

1. Consent: Consent to engage in sexual activity must be informed, knowing and voluntary. Consent exists when all parties exchange mutually understandable affirmative words or behavior indicating their agreement to freely participate in mutual sexual activity.
The following further clarifies the definition of consent:
 - I. Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.

II. If at any time it is reasonably apparent that either party is hesitant, confused or unsure, both parties should stop and obtain mutual verbal consent before continuing such activity.

III. Consent may be withdrawn by either party at any time. Withdrawal of consent must also be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

IV. Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.

V. Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.

VI. An individual who is physically incapacitated from alcohol or other drug consumption (voluntarily or involuntarily), or is unconscious, unaware or otherwise physically helpless is considered unable to give consent. For example, one who is asleep or passed out cannot give consent.

2. Course of Conduct means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third





parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

3. **Incapacitation:** An individual who is incapacitated is not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if he/she demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, or being unable to communicate for any reason.

An individual in a blackout state may or may not meet the definition of incapacitation. Such an individual may appear to act normally but may not have later recall of the events in question. The extent to which a person in this state affirmatively gives words or actions indicating a willingness to engage in sexual activity and the other person is unaware – or reasonably could

not have known – of the alcohol consumption or blackout, must be evaluated in determining whether consent could be considered as having been given.

4. **Reasonable Person** means a reasonable person under similar circumstances and with similar identities to the victim.
5. **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

Other Defined Terms

1. **Actual Knowledge** means Notice of Sexual Harassment allegations to the Title IX Coordinator or any Official with Authority, except that actual knowledge is not met when the only individual with actual knowledge is the Respondent.
2. **Business Day** means any weekday not designated by Jacksonville University as a holiday or administrative closure day. When calculating a time period of Business Days specified in this Policy, the Business Day of the event that triggers a time period is excluded.
3. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Complainants and Respondents are referred to collectively as "parties" throughout this Policy.
4. **Confidential Employee** means an individual who will not report any information about an incident to the Title IX Coordinator without the Complainant's permission.

5. **Disciplinary Sanctions** are imposed only after a finding of responsibility through the grievance process or an agreement through the informal resolution process.
6. **Education Program or Activity** includes locations, events, or circumstances over which Jacksonville University exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs. This includes conduct that occurs on Jacksonville University property, during any Jacksonville University activity, or in any building owned or controlled by a student organization that is officially recognized by Jacksonville University.
7. **Formal Complaint** means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that Jacksonville University investigate the allegation of Sexual Harassment.
8. **Official with Authority** means an individual who has the authority to institute corrective measures and is required to report Sexual Harassment to the Title IX Coordinator to initiate Jacksonville University's response to the Sexual Harassment allegations. Officials with Authority are limited to the following positions at Jacksonville University, Title IX Coordinator and Deputy Title IX Coordinators.
9. **Remedies** are designed to restore or preserve equal access to Jacksonville University's Education Program or Activity. Remedies may include, but are not limited to, the same individualized services as Supportive Measures; however, Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
10. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. Complainants and Respondents are referred to collectively as "parties" throughout this Policy.
11. **Responsible Employee** means any individual who is employed by Jacksonville University and not deemed to be a Confidential Employee. Responsible Employees are required by Jack-

sonville University to report Sexual Harassment to the Title IX Coordinator promptly upon receiving a report of a Sexual Harassment.

12. **Retaliation** means intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve gender discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX or this Policy.
13. **Supportive Measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

Such measures are designed to restore or preserve equal access to Jacksonville University Education Programs or Activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Jacksonville University educational environment, or deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.





Reporting Sexual Harassment and Preservation of Evidence

Reporting to Jacksonville University

1. **Reporting to Title IX Coordinator:** Reports of Sexual Harassment may be made to the Title IX Coordinator in any of the following ways, by anyone, at any time: email, phone, online form, mail. Reports may be made to the Title IX Coordinator in person at 2800 University Blvd. N., Davis Student Commons, Jacksonville, FL 32211 during normal business hours. After Title IX Sexual Harassment has been reported to the Title IX Coordinator, the Title IX Coordinator will promptly offer supportive measures to the Complainant, regardless of whether the Complainant was the reporter of the Sexual Harassment.
2. **Reporting to Officials with Authority:** The following positions are Officials with Authority: Title IX Coordinator and Deputy Title IX Coordinators. If they are notified of Sexual Harassment, they will promptly respond to the report of Sexual Harassment.
3. **Reporting to Confidential Employees:** The Student Counseling Center and Student Health Center staff at Jacksonville University are Confidential Employees. Reports made to Confidential Employees are considered confidential reports and will not be reported to the Title IX Coordinator without the Com-

plainant's permission and will not constitute actual notice to Jacksonville University.

4. **Reporting to Responsible Employees:** Employees who are not defined as Confidential Employees are required to report Sexual Harassment to the Title IX Coordinator who will respond to the Sexual Harassment.
5. **Anonymous Reporting:** Anonymous reports may be made by telephone, in writing or electronically with Title IX Coordinator. A decision to remain anonymous, however, may greatly limit Jacksonville University's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating this Policy.

Reporting to Law Enforcement:

1. Reports may be filed with local law enforcement agencies. The Title IX Coordinator can assist with contacting law enforcement agencies. Law enforcement investigations are separate and distinct from Jacksonville University investigations.
 - I. Jacksonville Sheriff's Office Non-Emergency, phone number – (904) 630-0500

Reporting to Outside Agencies:

2. Students and employees may report to external agencies:
 - I. **Students**
 - Atlanta Office for Civil Rights U.S. Department of Education 61 Forsyth St. S.W., Suite 19T10 Atlanta, GA 30303-8927 Telephone: 404-974-9406 Email: OCR.Atlanta@ed.gov
 - U.S. Department of Health and Human Services 200 Independence Avenue, S.W. Washington, D.C. 20201 Toll Free Call Center: 1-877-696-6775
 - II. **Employees**
 - U.S. Equal Employment Opportunity Commission 131 M Street, NE Washington, DC 20507 202-663-4900 / (TTY) 202-663-4494

Outside Agency Support and Resources:

1. Women's Center of Jacksonville/Rape Recovery Team, the address is 5644 Colcord Ave., Jacksonville, FL 32211, phone number – (904) 722-3000 or hotline is (904) 721-7273 www.womenscenterofjax.org
2. State Attorney's Office Victim-Witness Services, phone number – (904) 630-2502
3. Florida Council Against Sexual Violence, phone number – 1-888-956-7273
4. Any member of the Jacksonville University community who wishes to obtain further information regarding sexual offender/predators in our area may refer to the FDLE website at FDLE's Searchable Database or by calling 1-888-FL-PREDATOR / 1-888-357-7332)

Local Emergency Facilities:

1. Jacksonville Sheriff's Office Victim Services Counselor, phone number – (904) 630-1764
2. The City of Jacksonville Victims Services, phone number – (904) 630-6300
3. Sexual Assault Response Center, phone number – (904) 630-6330
4. Florida Department of Law Enforcement Sexual Offender/Predator Unit – 1-888-357-7332
5. Local Domestic Violence center, HUBBARD HOUSE. Contact 24 hours a day at (904) 354-3114 or 1-800-500-119. Website: hubbardhouse.org

Time Limits on Reporting:

1. There are no time limits on reporting Sexual Harassment to the Title IX Coordinator or Jacksonville University. If the Respondent is no longer subject to Jacksonville University's Education Program or Activity or significant time has passed, Jacksonville University will have limited ability to investigate, respond and/or provide disciplinary remedies and sanctions.

Jacksonville University Federal

Reporting Obligations:

1. Certain Jacksonville University employees, called Campus Safety and Security Authorities, have a duty to report certain incidents of misconduct to comply with the Clery Act. Campus Safety and Security Authorities are not required to report personally identifiable information for Clery Act purposes, but statistical information

must be sent regarding the type of incident that occurred and its general location (e.g., on or off-campus) for publication in an annual report of crime statistics, called the Annual Security Report. Statistics published in the Annual Security Report help to provide the campus community with a clearer picture of the extent and nature of campus crime, but the statistics do not personally identify Complainants or Respondents. Reports by Campus Security Authorities are not official police reports and do not initiate criminal investigations.

When Sexual Assault, Domestic Violence, Dating Violence, and/or Stalking are reported under the Clery Act, Jacksonville University must issue timely warnings for such incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community. Jacksonville University will not disclose a Complainant's name and other identifying information in a timely warning but will provide sufficient information for Jacksonville University community members to make informed safety decisions in response to potential danger.

Preservation of Evidence:

1. Jacksonville University recognizes that a Complainant may need time to decide whether to report an incident of Sexual Harassment to the police and/or Jacksonville University. The purpose of this section is to provide Complainants with suggestions on preserving evidence while they decide whether to report an incident. Jacksonville University encourages Complainants, as soon as possible after experiencing Sexual Assault to take steps to preserve evidence such as:
 - I. Have a forensic sexual assault nurse examination performed as soon as possible after the incident, but no later than 72-96 hours



after the incident

- II. When possible, prior to having a forensic sexual assault nurse examination performed, avoid: changing clothing, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair;
- III. Preserve any clothing, sheets, or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- IV. Preserve or capture electronic communications such as text messages, e-mails, social media posts or exchanges (e.g., Snapchat, Facebook, Twitter);
- V. Preserve or capture video, audio (e.g., voice mail messages), or photographs, including those stored on smartphones or other devices; and
- VI. Preserve any other physical, documentary, and/or electronic data that might be helpful to an investigator.

Initial Response to Reported Sexual Harassment:

Upon receipt of a report of Sexual Harassment, the Title IX Coordinator will promptly contact the Complainant, regardless of whether the Complainant was the individual who initiated the report. During the initial contact with the Complainant, the Title IX Coordinator will:

1. Provide the Complainant with notice of their rights and options
2. Explain the process for filing a Formal Complaint;
3. Explain the Grievance Process;
4. Discuss the availability of Supportive Measures regardless of whether a Formal Complaint is filed;
5. Consider the Complainant's wishes with respect to Supportive Measures.



Formal Complaint:

Jacksonville University will investigate all allegations of Sexual Harassment in a Formal Complaint.

Filing a Formal Complaint:

A Formal Complaint must:

1. Contain an allegation of Sexual Harassment against a Respondent;
2. Request that Jacksonville University investigate the allegation; and
3. Be signed by the Complainant or Title IX Coordinator.

In limited circumstances, if a Complainant does not sign a Formal Complaint, the Title IX Coordinator may sign a Formal Complaint. In determining whether to sign a Formal Complaint, the Title IX Coordinator will consider factors that include but are not limited to:

- Whether there have been other reports of Sexual Harassment or other relevant misconduct concerning the same Respondent whether or not the incidents occurred while the Respondent was a Jacksonville University student or employee;



- Whether the Respondent threatened further Sexual Harassment or other misconduct against the Complainant or others;
- Whether the alleged Sexual Harassment was committed by multiple perpetrators;
- The nature and scope of the alleged Sexual Harassment including whether the Sexual Harassment was perpetrated with a weapon;
- The ages and roles of the Complainant and the Respondent;
- Whether Jacksonville University can pursue the investigation without the participation of the Complainant (e.g., whether there are other available means to obtain relevant evidence of the alleged Sexual Harassment such as security cameras or physical evidence);
- Whether the report reveals a pattern of perpetration (e.g., perpetration involving illicit use of drugs or alcohol) at a given location or by a particular group.

Dismissal of a Formal Complaint:

1. **Required Dismissal:** The Title IX Coordinator will dismiss a Formal Complaint for purposes of Sexual Harassment if:
 - I. The conduct alleged in the Formal Complaint would not constitute Sexual Harassment as defined in this Policy even if proved;
 - II. The conduct alleged did not occur in Jacksonville University's Education Program or Activity; or
 - III. The Conduct alleged in the Formal Complaint did not occur against a person in the United States.

Dismissal of a Formal Complaint does not preclude action under other provisions of the Jacksonville University's Code of Conduct. If a Formal Complaint is dismissed under this section and the Respondent is a student, the matter will be sent to the Senior Vice President of Student Affairs for review. The Senior Vice President of Student Affairs will decide whether the matter will be pursued under the Jacksonville University's Code of Conduct.

If a Formal Complaint is dismissed under this section and the Respondent is an employee, the matter will be sent to the Director of Human Resources for review. The Director of Human Resources will decide whether the matter will be pursued under the Jacksonville University Code of Conduct.

2. **Permissive Dismissal:** The Title IX Coordinator may dismiss a Formal Complaint or any allegations within the Formal Complaint, if at any time during the investigation or hearing:
 - I. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations within the Formal Complaint,
 - II. The Respondent is no longer enrolled or employed by Jacksonville University, or
 - III. Specific circumstances prevent Jacksonville University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations within the Formal Complaint.

3. **Appeal of Dismissal:** Either party may appeal the dismissal of a Formal Complaint or any allegations therein. See Section 7 for bases and process for appeals.

Consolidation of Formal Complaints:

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent or by more than one Complainant against one or more Respondents where the allegations arise out of the same facts or circumstances.

Grievance Process:

The grievance process within this Policy is designed to treat Complainants and Respondents equitably. Remedies are provided to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent and Disciplinary Sanctions are not imposed against a Respondent prior to the completion of the grievance process.

General Grievance Process Information:

1. **Burden of Proof and Burden of Gathering Evidence:** All investigations and proceedings, including hearings, relating to Sexual Harassment will be conducted using a “preponderance of the evidence” (more likely than not) standard. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on

Jacksonville University, not the parties.

2. **Presumption of Not Responsible:** The Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the grievance process.
3. **Time Frames for Grievance Process:** Jacksonville University strives to complete the grievance process within one hundred and twenty (120) Business Days. Temporary delays and/or extensions of the time frames within this Policy may occur for good cause. Written notice will be provided to the parties of the delay and/or extension of the time frames with explanation of the reasons for such action. Examples of good cause for delay/extensions include but are not limited to considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
4. **Medical Records:** Jacksonville University will not access, consider, disclose, or otherwise use party’s records that are that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Jacksonville University obtains that party’s





voluntary, written permission to do so for the grievance process within the Policy.

5. **Privileged Information:** Jacksonville University will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

6. **Range of Disciplinary Sanctions and Corrective Actions:**

- No contact orders
- Written letter of warning or reprimand
- Mandatory participation in an educational program
- Mandatory referral for psychological assessment and compliance with any resulting treatment plan
- Adjustment of living arrangements
- Adjustment of academic schedule
- Restricted participation in extracurricular activities
- Removal or suspension from athletic team
- Restricted attendance at University-sponsored activities or events
- Revocation of admission
- Revocation of degree
- Postponement of degree conferral
- Restricted access to campus
- Probation for students or employment
- Suspension or dismissal for students
- Termination of student employment
- Employee suspension with or without pay
- Modification of employee benefits such as tuition assistance

- Termination of faculty or staff from the University

7. **Notice of Meetings, Interviews, and Hearings:** Parties and witnesses will be provided notice of any meeting, interview, and/or hearing with sufficient time (approximately three (3) days) to prepare to participate. This notice will include the date, time, location, participants and purposes of the meeting, interview and/or hearing.

Notice of Allegations:

Upon receipt of a Formal Complaint, the investigator will provide Notice of Allegations to the parties who are known. The Notice of Allegations will include:

1. Notice of the party's rights and options
2. Notice of Jacksonville University's grievance process
3. Notice of Jacksonville University's informal resolution process and options
4. Notice of the allegations of Sexual Harassment including:
 - The identities of the parties involved in the incident, if known,
 - The conduct allegedly constituting Sexual Harassment, and
 - The date and location of the incident, if known.
5. Notice that the Respondent is presumed not responsible of the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
6. Notice that the parties may have an advisor of their choice, who may be, but is not required to be an attorney, and that the advisor may inspect and review evidence as explained in the Live

Hearing | Advisor's Role at the Hearing section of this Policy.

7. Notice of the Jacksonville University Code of Conduct provision that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Notice of Allegations will be updated and written notice provided to the parties if at any time during the investigation, Jacksonville University decides to investigate allegations about the Complainant or Respondent that are not included in the initial Notice of Allegations.

Investigation of Formal Complaint:

Jacksonville University will conduct an investigation following a Formal Complaint and Notice of Allegations. During all meetings and interviews the parties may be accompanied by an advisor of their choice, which can be, but is not required to be an attorney. During the investigation stage of the grievance process, the advisor's role is limited to assisting, advising, and/ or supporting a Complainant or Respondent. An advisor is not permitted to speak for or on behalf of a Complainant or Respondent or appear in lieu of a Complainant or Respondent during the investigation phase of the grievance process.

1. **Opportunity to Provide Information and Present Witnesses:** Each party will be provided an equal opportunity to provide information to the investigator and present witnesses for the investigator to interview. The information provided by the parties can include inculpatory (evidence that may support a finding or conclusion that Respondent engaged in Sexual Harassment) and exculpatory evidence (evidence that may support a finding or conclusion that a Respondent did not engage in Sexual

Harassment). The witnesses can include both fact witnesses and expert witnesses.

2. **Opportunity to Inspect and Review Evidence:** Each party will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which Jacksonville University does not intend to rely upon in reaching a determination regarding responsibility. This review includes inculpatory and exculpatory evidence that is obtained by a party, witness, or other source. Each party and their advisor (if any) will be provided an electronic copy of the evidence for inspection and review. The parties will have ten (10) business days to review submit a written response to the investigator. The investigator will consider the written responses prior to completing an investigative report. All evidence provided during the inspection and review phase will be available at any hearing for the parties to use during the hearing, including for purposes of cross examination.
3. **Investigative Report:** Following the opportunity to inspect and review evidence directly related to the allegations raised in the Formal Complaint, the investigator will create an investigative report that fairly summarizes relevant evidence obtained during the investigation.
4. **Review of the Investigative Report:** At least ten (10) Business Days prior to a hearing, the investigator will provide each party and the party's advisor (if any) an electronic copy of the investigative report for their review and written response.
5. **Investigation Timeframe:** The investigation of a Formal Complaint will be concluded with-





in 90 Business Days of the filing of a Formal Complaint. The parties will be provided updates on the progress of the investigation, as needed.

Live Hearing:

After the investigation, Jacksonville University will provide for a live hearing for all Formal Complaints of Sexual Harassment that have not been dismissed per Section 5.2 or resolved by informal resolution under Section 8. At the request of either party, or at the discretion of the Title IX Coordinator, Jacksonville University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the other party or witness answering questions.

1. Information at the Hearing: The following information/evidence will be available in electronic form at the hearing:
 - I. Evidence from the investigation, including the evidence directly related to the allegations that was reviewed by the parties, regardless of whether it was incorporated into the report.
 - II. The investigation report and any attachments/appendices.
2. Decision-maker: The decision-maker will be appointed by Jacksonville University and will not be the Title IX Coordinator or investigator. The decision-maker will be trained, impartial, and without a conflict of interest. The decision-maker will be a Jacksonville University employee or external individual designated by

Jacksonville University.

3. Challenge to the decision maker: Either party may challenge the appointment of a decision-maker, based on conflict of interest or bias, in writing to the Title IX Coordinator, no less than five (5) Business Days prior to the scheduled hearing.
4. Advisor's Role at the Hearing: Each party must have an advisor present at the hearing. The advisor's role is limited to supporting, advising, and assisting the party during the hearing and conducting questioning (cross-examination) of participants. Advisors are required to follow rules of decorum enforced by the decision-maker. Failure to follow the rules of decorum by an advisor may result in removal of an advisor from the hearing. If a party does not have an advisor present at the live hearing, Jacksonville University will appoint the party with an advisor without fee or charge.
5. Recording of the Hearing: Jacksonville University will create an audio or audiovisual recording of all live hearings and make the recording available to the parties for inspection or review.
6. Hearing Process Facilitator: Jacksonville University may designate a hearing process facilitator to coordinate the hearing, including, but not limited to, coordination and scheduling of the hearing; the logistics of physical or virtual rooms for parties and/or witnesses, including separation of the parties; ensuring all

technology is working appropriately; ensuring the parties have access to electronic documents during the hearing; distributing materials; etc. The facilitator may also be the Title IX Coordinator. The facilitator may invite the parties and their advisors, separately, to a meeting prior to the hearing to review the hearing process for the purpose of ensuring a smooth hearing. This meeting is separate from the pre-hearing conference discussed below.



7. **Pre-Hearing Matters:** In order to streamline the hearing process, the decision-maker may request the submission of questions prior to the hearing through electronic submission and/or a pre-hearing conference.
 - I. **Pre-Hearing Submission of Questions:** The decision-maker may request the parties submit questions, in writing, prior to the hearing. This submission does not preclude the advisor from asking additional questions live during the hearing. The decision-maker may allow for the pre-hearing submission of questions regardless of whether a pre-hearing conference occurs.
 - II. **Pre-Hearing Conference:** The decision-maker may hold a pre-hearing confer-

ence to further streamline the live hearing, especially in complex cases involving multiple Complainants, Respondents and/or a significant number of witnesses. During the pre-hearing conference, parties and their Advisors will be meet with the decision-maker separately to review written questions previously submitted and/or to submit, in writing, any questions they wish to ask during the live hearing so that the decision-maker can be prepared to respond to the relevancy of said questions during the live hearing. The decision-maker may discuss any preliminary relevancy determinations regarding submitted questions and/or discuss alternative ways in which to ask questions; however, the decision-maker will make any final relevancy determinations in real-time, orally, during the live hearing. This conference does not preclude the advisor from asking additional questions live during the hearing.

At the pre-hearing conference, the decision-maker may also hear arguments regarding the relevance of the evidence identified in the investigation report as relevant or not relevant, and/or directly related to the allegations.

- III. **Hearing Documents:** The decision-maker or hearing facilitator will provide parties with a copy of all materials provided to the decision-maker about the matter.
- IV. **Accommodation Requests:** Participants in need of disability related accommodations and/or interpretation services during the hearing must contact the Title IX Coordinator with said requests five (5) days prior to the hearing.
8. **Participants in the Hearing:** Participants at the hearing include the decision-maker, the investigator(s) who conducted the investigations, the parties, advisors to the parties, witnesses and anyone providing authorized accommodations. In addition, Jacksonville University may have a hearing facilitator present. Any witnesses scheduled to participate in the hearing must have been first interviewed by the investigator (s) or

have provided a written statement or answered questions from the investigator in writing.

The decision-maker will provide the names of all persons participating in the hearing to the parties at least seven (7) days prior to the live hearing.

9. Hearing Process and Phases: The live hearing will include the following phases:

I. Notice of Hearing: After the investigative report has been completed and at least ten (10) business days prior to the date set for the hearing, the parties and their Advisors (if any) will be provided with a Notice of the Hearing. The Notice will include the date, time, location, name of the decision-maker, names of all participants in the hearing, and the location (virtual or in person) of the hearing.

II. Opening Statements: Each party will have the opportunity to present an opening statement to the decision-maker.

III. Questioning of Hearing Participants: The investigator will be the first witness to provide information. The investigator will submit their investigation report and describe the evidence and information gathered in their investigation. The parties and witnesses will then be called in an order determined by the decision-maker. Questioning of parties and witnesses will occur in the following manner:

A. By the Decision-maker: The decision-maker will ask initial questions of the participants at the hearing.

B. ii. By the Advisors: After the decision-maker asks questions of a participant, each party's advisor will be permitted to ask relevant questions and follow up questions orally, directly, and in real time of the participant. The parties are never permitted to ask questions of participants directly. The questioning of participants by advisors will be conducted in the following manner:

i. A question is asked by an advisor

ii. Before participant answers the questions, the decision-maker deter-

mines whether the question is relevant

iii. If the question is determined relevant by the decision-maker, the participant answers the question

iv. If the question is determined not to be relevant by the decision-maker, the decision-maker must explain the decision to exclude a question as not relevant.

C. Evidence and Questions Excluded:

i. Sexual Predisposition or Prior Sexual Behavior of the Complainant: Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.

ii. Privileged Information: No person will be required to disclose information protected under a legally recognized privilege. The decision-maker must not allow into evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the per-



son holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.

iii. Medical Records: Evidence or records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, are not permitted to be used during a hearing unless the party provides voluntary, written permission to do so for the grievance process within this Policy.

D. Party or Witness Does Not Submit to Cross-examination: If a party or witness does not submit to cross-examination by an advisor at the live hearing, the decision-maker will not rely on any statement of that party or witness in reaching a determination regarding responsibility. The decision-maker, however, will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

IV. Closing Statements: Each party will have the opportunity to present a closing statement to the decision-maker.

V. Determination Regarding Responsibility: After the live hearing, the decision-maker will issue a written determination regarding responsibility using the preponderance of the evidence standard. The decision-maker will provide the Complainant and the Respondent with the written determination simultaneously. The determination regarding responsibility becomes final either on the date that Jacksonville University provides the parties with the written determination of the result of the appeal, if an appeal is



filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely. The written notice will include:

- A. Identification of the allegations potentially constituting Sexual Harassment;
- B. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of this Policy to the facts;
- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions that Jacksonville University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to Jacksonville University's education program or activity will be provided by Jacksonville University to the Complainant³; and
- F. The procedures and permissible bases for the Complainant and Respondent to appeal.

Appeals:

Either party may appeal the determination regarding responsibility, or the dismissal of a Formal Complaint or any allegations therein within three (3) Business Days of the receipt of the determination regarding responsibility or dismissal. The appeals must be made in writing and delivered to the Title IX Coordinator.

1. **Bases for Appeal:** Appeals of the determination of responsibility or the dismissal of a Formal Complaint may be made on the following bases:
 - I. Procedural irregularity that affected the outcome of the matter;
 - II. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - III. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the

outcome of the matter.

2. **Appeal Procedures:** If an appeal is submitted, Jacksonville University will:
 - I. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.
 - II. Ensure that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator or the Title IX Coordinator.
 - III. Provide the non-appealing party with five (5) Business Days from receipt of the notification of appeal to submit a written statement in support of the outcome of the determination or dismissal.
 - IV. Issue a written decision describing the result of the appeal and the rationale for the result which can be one of the following:
 - A. Affirm the decision-maker's determination regarding the Respondent's responsibility and affirm the disciplinary sanctions and remedies, if applicable;
 - B. Affirm the decision-maker's determination regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable;
 - C. Remand the process back to the hearing stage for the decision-maker to remedy any procedural irregularity or consider any new evidence;
 - D. Reverse the decision-maker's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable; or
 - E. Affirm or amend the sanctions and/or remedies outlined in the determination issued under this Policy.
 - V. Provide the written decision simultaneously to both parties.
3. **Appeal Timeframe:** The appellate decision-maker will release the written decision within twenty (20) Business Days of receiving the appeal.





Informal Resolution

Process:

At any time after a Formal Complaint has been signed and before a determination regarding responsibility has been reached, the parties may voluntarily agree to participate in an informal resolution facilitated by Jacksonville University, that does not involve a full investigation and adjudication. Types of informal resolution include, but are not limited to, mediation, facilitated dialogue, conflict coaching, and restorative justice and resolution by agreement of the parties.

1. **Informal Resolution Notice:** Prior to entering the informal resolution process, Jacksonville University will provide the parties a written notice disclosing:
 - I. The allegations;
 - II. The requirements of the informal resolution process, including the right of any party to withdraw from the informal resolution process and resume the grievance process and the circumstances which preclude parties from resuming a Formal Complaint arising from the same allegations;
 - III. Consequences resulting from the informal resolution process, including that the records will be maintained for a period of seven (7) years but will not be used by investigators or decision-makers if the formal grievance process resumes.
2. **Informal Resolution Agreement:** Prior to

entering the informal resolution process, the parties must voluntarily agree, in writing to the use of the informal resolution process.

3. **Informal Resolution Availability:** The informal resolution process is not permitted to resolve allegations that an employee committed Sexual Harassment against a student.
4. **Informal Resolution Timeframe:** Informal resolutions of a Formal Complaint will be concluded within 45 days of notice to Jacksonville University that both parties wish to proceed with the informal resolution process. Such notice that the parties wish to proceed with an informal resolution process will “pause” the counting of the timeframe to conclude the Grievance Process of this Policy, should the informal resolution process fail and the parties continue with the Grievance Process.
5. **Informal Resolution Documentation.** Any final resolution pursuant to the Informal Resolution process will be documented and kept for seven (7) years. However, no recording of the informal resolution process will be made and all statements made during the informal resolution process will not be used for or against either party (and the decision-maker and/or appellate decision-maker may not consider any such statement made during informal resolution) should the parties resume the grievance process. Failure to comply with an informal resolution agreement may result in disciplinary action.

Emergency Removal and Administrative Leave:

1. **Emergency Removal:** At any time after the Title IX Coordinator is on notice of Sexual Harassment, Jacksonville University may remove a Respondent on an emergency basis. Jacksonville University will only conduct an emergency removal after:
 - I. Undertaking and individualized safety and risk analysis,
 - II. Determining that an immediate threat the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, and
 - III. Providing the Respondent with notice and an opportunity to challenge the decision to the Title IX Coordinator, within two (2) Business Days following the removal.
2. **Administrative Leave:** Jacksonville University may place a non-student employee Respondent on administrative leave during the pendency of the grievance process in this Policy.

Recordkeeping:

Jacksonville University will maintain all of the documentation related to reports of Sexual Harassment, Formal Complaints, the grievance process, and information resolution process for seven years in accordance with state and federal records laws and requirements. The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws, and included in the employee's official employment record.



Additional Conduct Violations Related to This Policy:

Alleged violations of the terms in this section will be sent to the Dean of Students and/or the Human Resources Office for investigation and adjudication under the Jacksonville University Code of Conduct or Employee Handbook.

1. Retaliation
2. False Information
3. Interference with Grievance Process
4. No Contact Directive Violations

Other Related Policies and Procedures:

1. [University Policies](#)
2. [Residential Life Policies](#)
3. [Employee Handbook](#)

Modification and Review of the Policy:

Jacksonville University reserves the right to modify this Policy to take into account applicable legal requirements. Jacksonville University will regularly review this Policy to determine whether modifications should be made.



Title IX: Appendix: Florida Laws Domestic Violence and Dating Violence

- 741.28 “Domestic violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

“Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

- 784.046(d): “Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:
 1. A dating relationship must have existed within the past 6 months;
 2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
 3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

Rape and Statutory Rape are classified under Sexual Battery in Florida

- 784.046(c): “Sexual violence” means any one incident of:
 1. Sexual battery, as defined in chapter 794;
 2. A lewd or lascivious act, as defined in chapter 800, committed upon or in the presence of a person younger than 16 years of age;
 3. Luring or enticing a child, as described in chapter 787;
 4. Sexual performance by a child, as described in chapter 827; or
 5. Any other forcible felony wherein a sexual act is committed or attempted,
- 794.011(1)(h) “Sexual battery” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.
 - 794.011 (2)
 - a. A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony, punishable as provided in ss. 775.082 and 921.141.
 - b. A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.
 - (3) A person who commits sexual battery upon a person 12 years of age or older, without that person’s consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.



- (4)
 - a. A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable by a term of years not exceeding life or as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.
 - b. (b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.
 - c. (c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.
- and makes a credible threat to that person commits the offense of aggravated stalking
 - 1. 784.048(1)(a): "Harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.
 - 2. 784.048(1)(d) "Cyberstalk" means:
 - I. To engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person; or
 - II. To access, or attempt to access, the online accounts or Internet-connected home electronic systems of another person without that person's permission, causing substantial emotional distress to that person and serving no legitimate purpose.

Incest

- Whoever knowingly marries or has sexual intercourse with a person to whom he or she is related by lineal consanguinity, or a brother, sister, uncle, aunt, nephew, or niece, commits incest, which constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. "Sexual intercourse" is the penetration of the female sex organ by the male sex organ, however slight; emission of semen is not required.

Stalking

- 784.048(2) **Stalking:** A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking
- 784.048 (3) **Aggravated Stalking:** A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person



The Green Dot Strategy

Most of us care about the high prevalence of power-based personal violence, but we may not have the tools to know how we can be part of the solution. Green Dot seeks to change the culture by empowering bystanders with practical tools to intervene, promote safety, and play an active role in reducing power-based personal violence.

A “Green Dot” symbolizes a moment in time that can be used to end power-based personal violence and support survivors. It is a single choice that someone makes to create safety by intervening on someone else’s behalf or to demonstrate the following norms: that power-based personal violence is not okay and that everyone is expected to do their part. Green Dots will increase safety not only on Jacksonville University’s campus, but in our community as well.

Power-based personal violence (PBPV) is an act of violence that primarily seeks to assert power, control or intimidation to harm another person. PBPV includes dating/domestic violence, sexual assault, and stalking; and can be committed by friends, partners, acquaintances, or strangers. We refer to these acts of violence against another person as “red dots” which negatively impact our campus and our community. But, together as active, informed bystanders we can reduce these instances and aim to prevent these “red dot” actions all together. Preventing power-based personal violence is everyone’s responsibility.

Through the Green Dot JU Program, you will learn safe, practical and effective ways to intervene on behalf of someone when they need your help, otherwise known as Reactive Green Dots or the 3 D’s: Direct, Delegate, Distract.





Criminal Acts with Actual or Perceived Prejudice based upon: Race; National Origin; Gender Identity; Gender; Religion; Sexual Orientation; Ethnicity; or Disability considered and reported as a Hate Crime.

As stated in the preceding section, Jacksonville University strives to establish and maintain a work and academic environment in which the dignity and worth of all members of the University Community is respected. The University is a diverse community comprised of individuals of many different cultures, ethnicity, religions, and belief systems. The Code of Conduct states that students are expected to contribute to the development and sustenance of a community characterized by respect, caring, and honesty. This expectation calls for behavior which demonstrates the five principles of student conduct: respect for one's self; respect for others; respect for property; respect for authority; and honesty. The same is expected of every member of our campus community. To act otherwise is not only unacceptable but in the event of a crime that is committed that is contrary to these principles and if that crime

is perceived or actually is based upon an individual's or groups race, gender, religion, sexual orientation, ethnicity, or disability the offense is required to be reported as a Hate Crime.



Campus Safety and Security Programs

Jacksonville University will coordinate crime prevention and awareness programs with the Jacksonville Sheriff's Office, Community Affairs Division. Crime prevention and personal safety workshops are offered to all University groups and organizations with advance notice. Call Campus Safety and Security at (904) 256-7585 for more information.

Operation ID

This program involves engraving computers, laptops, stereos and other valuables with your driver's license number or other identifying information associating the property to you. This enables your property to be identified and recovered in case of loss or theft. This service is offered independently of the Jacksonville Sheriff's Office. Contact the Campus Safety and Security Department if you wish to make a registry and mark your valuables.

It is recommended that everyone photograph their valuables and personal documents (Passport, insurance papers, etc.) attach and send them via email to their personal email address in order to maintain a visual permanent record of each.

JU has partnered with Protech DNA to become the first Institution to deploy the Personal Property Protection Technology "DNA for Property". "DNA for Property" is an adhesive gel containing thousands of microscopic dots. "DNA for Property," the technology is already in use at more than 6,200 law enforcement agencies across the U.S. The Process allows Identification of Stolen Personal Property utilizing technology to identify and return property to its owner.

Dolphin Lift

This is an escort service for students who do not feel safe walking around campus after dark by themselves. The program is run by another valuable resource, our student workers/Auxiliary Officers.

Food Delivery Areas

Designated food delivery areas have been set-up near all the residence halls. These are near the emergency phones, well lighted, with benches and cameras, so food delivery personnel will not enter residential areas.

Ride Share Pick-up

We have a designated share-ride pick up station near the Access Control Booth (which has an officer on duty 24 hours), cameras, and an emergency call box. This will be a location where students can wait on Uber, Lyft, taxi etc.... without drivers knowing which residence hall they reside in.

Let Campus Security

Know Campaign

letcampussecurityknow@ju.edu is an email which goes directly to the Campus Safety and Security Command Staff for any concern to be handled personally the Campus Safety and Security Command Staff.

Mobile Safety App



The JU Mobile Safety App, available on Apple and Android, offers safety features and resources customized for Jacksonville University, helping to further enhance student security both on and off

campus.

With JU Mobile Safety, you can quickly:

- Access emergency plans detailing specific actions you should take in the event of an emergency situation.
- Do your part to promote a safe environment by reporting suspicious activity. You can even submit a photo directly to campus security.
- Find your way around campus with the interactive campus map feature.

The app is also equipped with a safety toolbox, an exhaustive list of safety tips, support resources and more. We encourage all students, faculty and staff to download and begin using the app to help Campus Security continue to provide a safe learning environment.

Student/Faculty Interactive Events

- We have many student/faculty interactive, educational events with our staff, subject matter experts, and speakers concerning campus safety and security.
- We have a Director's Safety Walk around the entire campus both in the fall and spring semesters. The walks are a night of various food/drink pop-up locations around campus, safety information distribution, conversations and general fun and fellowship for all with the emphasis on safety and security.
- We have a blog entitled the Director's Corner in which we discuss various current events on campuses around the country and in our local area that may teach valuable safety and security lessons for all.



- We have formed partnerships with SGA, Facilities, Jacksonville Sheriff's Office, Jacksonville Fire and Rescue Department, along with various other Jacksonville University leaders, Departments, and organizations to assure the success of our mission.

First Coast Crime Stoppers

You can report a crime and remain anonymous, and be eligible for a reward up to \$1000.00, by calling CRIME STOPPERS at: 1-866-845-8477 (TIPS) or JSO's non-emergency number at 904-630-0500.

If you have information regarding a crime occurring on or off campus you can call the numbers denoted above, remain completely anonymous, and be eligible to receive a reward.

Crime Prevention – TIPS Line

Dial TIPS (8477)

This service provides members of the community the opportunity to report a crime, incidents, and provide information all while remaining anonymous. If the information leads to identification of the suspect the caller may receive a reward.





Clery Act

Geographic locations for which the University is required to report crime statistics and issue timely warnings under the Clery Act.

The University is required to report crime statistics for Clery-designated crimes and to issue timely warnings for those crimes that represent a severe and continuing threat in the following geographic locations: on campus, public property and non-campus buildings and property.

On Campus:

Any building or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls: and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor).

Non-Campus Building or Property:

Any building or property owned or controlled by a student organization officially recognized by the

institution; or

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public property:

The term "public property" means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution in direct support of, or in a manner related to the institution's educational purposes.

Geographic locations for which the University is not required to report crime statistics and issue timely warnings under the Clery Act.

The University is not required to report crime statistics or issue timely warnings for Clery designated crimes that occur off campus, with the exception of those crimes committed on public property or in (on) non-campus buildings or property, as defined and described above. However, the University recognizes that in certain cases timely warnings, even if not required by the Clery Act, may benefit the campus community. The following criteria must be met for the University to issue a timely warning for an off-campus crime that does not require a timely

warning under the Clery Act: 1) the crime is a murder, rape, or other serious and violent assault, or the Jacksonville Sheriff's Office requests that the University issue a timely warning. The University, upon being notified of a serious crime such as described above may choose to alert the campus community regardless of such request from a law enforcement agency; 2) the crime occurred in a geographic area frequented university students; or 3) the crime represents a continuous threat to the campus community.

Clery Designated Crime Definitions

Criminal Homicide:

Murder and Non-negligent Manslaughter- The killing of one human being by another.

Negligent Manslaughter- The killing of another person through gross negligence.

Sex Offenses

Forcible Sex Offenses- Rape; Fondling; Incest; Statutory Rape. Sex offenses- Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Non-Forcible- Unlawful non-forcible sexual intercourse. (e.g., incest, other offenses involving minors).

Robbery

The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/ or placing the victim in fear.

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary

Entering a dwelling, a structure, or a conveyance with the intent to commit an offense therein, unless the premise are at the time open to the public or the

person is licensed or invited to enter.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Campus Security Authorities

1. Certain individuals by nature of their position of authority and responsibility at JU are classified as a Campus Security Authority, as defined by federal law. These include:
 - I. Officials with significant responsibility for student and campus activities (e.g., Student Affairs, Student Leadership and Development, Community Advisors, Coaches, faculty and staff advisors to student organizations);
 - II. Individuals or offices designated to receive crime reports (e.g., ResLife, Administrative E-Mail Distribution List for daily reports); and
 - III. Campus Security Officers and others who have responsibilities for Campus Security.
2. Faculty members who do not have responsibility for student or campus activities beyond the classroom, clerical staff, cafeteria staff, or physical plant/maintenance personnel, while not technically classified as a Campus Security authority should report campus crime incidents to Campus Security or a designated Campus Security authority when such incidents are brought to their attention.

Violence Against Women Act (VAWA)

In 2013, the Violence Against Women Reauthorization Act amended the Jeanne Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence, and stalking. Crime data with regards to these offenses must be maintained and reported in the Annual Se-



curity Report and to the Department of Education in conjunction with the previously mentioned Clery designated crimes.

Under the provisions of Florida State Law the aforementioned offenses are defined as:

Domestic Violence (741.28) means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. A family or household members are spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing together or have in the past resided together in the same single dwelling unit. Domestic Violence includes;

- **Physical Abuse** – Pushing, slapping, kicking, choking, and beating,
- **Emotional/Verbal Abuse** – verbal intimidation, credible threats, following and stalking, acting out in anger, and
- **Sexual Abuse or Battery** – Any unwanted touching or forcing of someone to engage in a sexual act against his or her will.

Sexual Violence (784.046) sexual violence is one incident of;

Sexual Battery as defined in 794.011

As used in this chapter:

- **Consent** means intelligent, knowing, and voluntary consent and does not include coerced submission. “Consent” shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.
- **Mentally defective** means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct.
- **Mentally incapacitated** means temporarily incapable of appraising or controlling a person’s own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent.
- **Offender** means a person accused of a sexual offense in violation of a provision of this chapter.
- **Physically helpless** means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.
- **Retaliation** includes, but is not limited to, threats of future physical punishment, kidnapping, false imprisonment or forcible confinement, or extortion.
- **Serious personal injury** means great bodily



harm or pain, permanent disability, or permanent disfigurement.

- Sexual battery means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object.
- Victim means a person who has been the object of a sexual offense.
- Physically incapacitated means bodily impaired or handicapped and substantially limited in ability to resist or flee.

Note: Consent (defined above) must be voluntary and informed. This means the person being acted upon knows what is happening and both parties have input and both want to participate in a given sexual act. Communication is important. Consent cannot be implied. The absence of a “no” does not imply consent, nor does a previous sexual relationship. A person who is mentally or physically incapacitated by drugs or alcohol cannot give consent. Effective consent may not be given by minors.

Remember: You Always Have the Right to Say “NO” Even if;

- You have been drinking or used another intoxicant
- You’re wearing sexy clothes
- You have been flirting
- You have been “making-out”
- You have had a previous sexual relationship with the person

- You said “yes” then changed your mind
- “NO” means “NO” no matter what

- A Lewd or Lascivious Act as defined in chapter 800,
- Luring or enticing a child as described in chapter 787, or
- Sexual Performance by a Child as described in chapter 827

Dating Violence – (784.046) is violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors;

- A dating relationship must have existed within the past 6 months,
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties,
- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship, and
- The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

Stalking – (784.048) occurs when a person will-



fully, maliciously, and repeatedly follows, harass, or cyber stalks another person. Aggravated stalking occurs when that person makes a credible threat to that person through stalking.

How to be an Active By-Stander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Individuals may not always know what to do even if they want to help. The following is a list of suggestions for how to be an active bystander.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok;
- Confront people who seclude, “hit on,” “try to make out” with, or have sex with people who are incapacitated;
- Speak up when someone discusses plans to take sexual advantage of another person;
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking;
- Create a distraction. Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place;
- Ask directly. If you see someone who looks uncomfortable or is at risk, intervene and talk to the person who might be in trouble;
- If you feel safe, find a way to de—escalate the situation and separate all parties involved;
- Refer to an authority. Keeping your friends safe doesn’t have to fall entirely on you alone;
- Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, like a College Dean, Security Officer, or other College official;
- Enlist others. It can be intimidating to approach a situation alone. Enlist another person to support you. There is safety in numbers;
- If you see someone in danger of being assaulted;
 - Step in and offer assistance. Ask if the person needs help. NOTE: Before stepping in, make sure to evaluate the risk. If it means putting yourself in danger, call 9-1-1 instead,
 - Don’t leave. If you remain at the scene and are a witness, the perpetrator is less likely to do anything, or
 - If you know the perpetrator, tell the person you do not approve of their actions. Ask the person to leave the potential victim alone.
- Be an ally. When you go to a party, go with a group of friends. Arrive together, check in with each other frequently and leave together;
- Have a buddy system. Don’t be afraid to let a friend know if you are worried about her/his safety. (Taken from Rape, Abuse, & Incest National Network, www.rainn.org);
- Refer people to the on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

JU 2018-2020 Crime Statistics:

	On Campus Building or Property						Public Property			Total Crimes Reported			
	2018		2019		2020		2018	2019	2020	2018	2019	2020	
	Total	Res	Total	Res	Total	Res							
Offense Type													
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	4	4	4	4	5	5	0	0	0	4	4	5	
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assaults	1	0	0	0	0	0	0	0	0	1	0	0	
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	2	0	1	0	1	0	0	0	1	2	1	1	
Hate Crimes													
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assaults	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny/Theft (except motor vehicle theft)	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	2	2	0	0	0	0	0	0	2
Destruction, Damage, or Vandalism of Property	1	0	0	0	0	0	0	0	0	1	0	0	

	On Campus Building or Property						Public Property			Total Crimes Reported		
	2018		2019		2020		2018	2019	2020	2018	2019	2020
	Total	Res	Total	Res	Total	Res						
Arrests												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	2	0	0
Drug Law Violations	1	0	0	0	0	0	0	0	0	1	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Liquor Law Violations	85	84	71	71	143	79	0	0	63	85	71	143
Drug Law Violations	22	21	22	22	14	14	0	0	0	22	22	14
Weapons Law Violations	1	1	0	0	0	0	0	0	0	1	0	0
These statistics are derived from campus reports and from reports made to local law enforcement agency.												

NOTE: The Violence Against Women Act of 2013 created several changes in reporting requirements that are effective for the 2014 report. The Violence Against Women Act (VAWA) added new hate crimes which include: domestic violence; dating violence; and stalking as reportable offenses. Also created were the new hate crime categories of race; gender; religion; sexual orientation; ethnicity; national origin; disability and gender identity. For the purpose of this report research was conducted within the reporting systems of the Department of Campus Safety and Security in conjunction with the Crime Analysis Unit of the Jacksonville Sheriff's Office in order to provide a good faith effort to document any of the aforementioned crime categories within this year's report.

2018 Two incidents reported of dating violence occurring on campus.

One incident reported of stalking occurring on campus

No records to indicate reports of domestic violence. There were no reported incidents of crimes committed related to national origin or gender identity

2019 Three incidents reported of dating violence occurring on campus.

One incident reported of stalking occurring on campus.

No records to indicate reports of domestic violence. There were no reported incidents of crimes committed related to national origin or gender identity

2020 Three incidents reported of dating violence occurring on campus.

No records to indicate reports of domestic violence or stalking. There were no reported incidents of crimes committed related to national origin or gender identity

Two Incidents reported relating to race.



HIGHER EDUCATION OPPORTUNITY ACT CAMPUS FIRE SAFETY ANNUAL COMPLIANCE REPORT

Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to Jacksonville University.

All residential housing buildings are equipped with a fire alarm system. Fire alarm systems are monitored through a combination of proprietary and/or central alarm monitoring stations.

Portable fire extinguishers are placed, inspected

monthly, and maintained annually in all residential housing areas. Extinguishers placed in apartments are inspected less frequently and any maintenance issues, thefts, or discharges should be reported immediately by apartment residents to Campus Safety and Security for attention or replacement.



Fire Statistics for On-Campus Housing 2018-2020

	2018	2019	2020
Number and Cause of Fires	0	0	0
Fire-Related Deaths	0	0	0
Fire-Related Injuries	0	0	0
Fire –Related Property Damage	0	0	0

Fire Safety Systems for On-Campus Housing

	Fire Alarm System	Automatic Sprinklers	Pull Stations
	Smoke Detection		
Village Apartments	Yes	Yes	Yes
Oak Hall	Yes	Yes	Yes
Williams Hall Complex	Yes	No	Yes
Botts Hall Complex	Yes	No	Yes
North Hall	Yes	Yes	Yes



Fire Alarm Drills

Supervised fire drills in residential facilities are conducted at a minimum of once per calendar year.

Fire Log

A Fire Log is maintained electronically at the Campus Safety and Security Department and is open to the public during normal business hours. The Jacksonville University maintains a Fire Log that records any fire that occurred in an on-campus student housing facility and includes information such as the nature, date, time and general location of each fire.

Fire Safety Policies

Residential Life has adopted and issued the following fire safety practices and rules.

Cooking Appliances

In order to promote health and sanitation as well as prevent fire hazards, the following restrictions and rules apply to cooking appliances:

Microwave ovens (800 watts or less) and toasters are permitted;

Electric toasters, coffeemakers, and electric kettles with automatic shut-offs are permitted; and Hot plates, toaster ovens, George Foreman grills and cooking devices are not permitted in the residence halls.

Toaster ovens and George Foreman grills are permitted in the Village Apartments.

Flammables

The following items are not permitted in the residential facilities:

1. Candles and Candle warmers. Candles that have not been lit may be displayed for deco-



ration purposes only. University officials may confiscate candles that appear to have been lit. Candle warmers are also prohibited in the residential facilities.

2. Incense, either used or unused.
3. Flammable liquids, such as propane gasoline and oily rags.
4. Halogen lamps.
5. Use of live Christmas and holiday decoration trees. No trees of any type should ever be placed in corridors or stairwells.

Smoking

Jacksonville University is a “smoke-free” campus, and prohibits the use of all lighted tobacco products on all property that is owned, operated, leased, occupied, or controlled by the University. “Property” for purposes of this policy includes:

- Buildings, structures, enclosed bridges and walkways, university carts and vehicles, personal vehicles in these areas, and any other indoor areas owned or managed by the university.
- Parking lots, parking garages or structures, grounds, sidewalks, rooftops, plazas, courtyards, entrance/exit ways, university-owned or -leased vehicles, and any other outdoor areas owned or managed by the university.

This policy applies to all Jacksonville University students, employees, consultants, contractors, visitors and external individuals, companies renting univer-

city-owned space, and property owned or managed by Jacksonville University.

Definitions:

- Smoking means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe or any other lighted or heated tobacco or plant product, including marijuana, intended for inhalation in any manner or form. “Smoking” also includes the use of an e-cigarette that creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy.
- Tobacco Products means all forms of tobacco, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), e-cigarettes (any device intended to simulate smoking)
- Members of the University community include its faculty, staff, students, volunteers, customers and visitors.
- Property includes buildings, structures, grounds, parking lots or structures, enclosed bridges and walkways, sidewalks, university carts and vehicles, as well as personal vehicles in these areas.



Building Evacuation Policy and Procedure

Building Evacuation Policy and Procedure

University Policy Section 300/1.11, Safety; Residence Hall Fire and Fire Alarm Procedures

In case of any fire or fire alarm in a residence hall, staff members and residents shall respond quickly

and calmly. Upon the discovery of a fire or if a fire alarm sounds, staff members shall immediately notify or have another staff member notify the Department of Campus Safety and Security and call 9-1-1. Callers are to identify themselves to the dispatcher and provide the name of the building and any other essential information requested by the dispatcher. Evacuation procedures for the entire building shall be initiated according to the established evaluation plan, taking into consideration those occupants with special needs or disabilities. Most deaths occur as a result of asphyxiation, which may occur in remote areas away from the source of a fire. All students shall immediately evacuate the building and go to their designated staging area or to a common collection point upwind from the building. The stu-

dents are not to be allowed to re-enter the building until the Jacksonville Fire and Rescue Department authorizes them to do so. Determine the exact location and extent of any fire and extinguish the fire if prudently possible. Residential Life staff are not expected to place themselves in life-threatening situations.

A false alarm occurs only when a person is observed improperly activating an alarm. If there is no visible smoke or an activated pull station is found with no one in the vicinity a situation may exist in which a non-obvious fire is present. The Jacksonville Fire and Rescue Department will be responsible for determining if a fire does exist or the absence of one.

Students and Resident Advisors (RA's) are to cooperate with all emergency personnel to minimize the likelihood of injury or death, loss of property, confusion, and inconvenience. The Campus Safety and Security Department and RA's shall provide assistance to the Jacksonville Fire and Rescue Department as requested and help care for and control the building occupants. Staff will notify emergency personnel regarding any known occupants with disabilities or special needs. Jacksonville fire personnel, assisted if necessary by the Campus Safety and Security Department, will investigate a possible fire and determine when it is safe to reoccupy a building. The alarm system will be reset and students will be notified when it is safe to reoccupy a building. Students must remain outside the building or at their designated staging area until the Jacksonville Fire and Rescue Department makes a determination that it is safe to re-enter.





APPENDIX APPENDIX A Florida State Statutes Alcohol/Drug Related Crimes Classifications and Penalties

316.1934 DUI

It is unlawful for any person who is under the influence of alcoholic beverages or controlled substances, when affected to the extent that the person's normal faculties are impaired or to the extent that the person is deprived of full possession of normal faculties, to drive or be in actual physical control of any motor vehicle within this state. Such normal faculties include, but are not limited to, the ability to see, hear, walk, talk, judge distances, drive an automobile, make judgments, act in emergencies, and, in general, normally perform the many mental and physical acts of daily life.

0.08 BAC or higher – guilty of driving or being in

actual physical control of a MV.

316.193 DUI Penalties

322.2616 Suspension of License; persons under 21 years of age.

It is unlawful for a person under the age of 21 who has a blood alcohol or breath alcohol level of 0.02 or higher to drive or be in actual physical control of a motor vehicle.

Law Enforcement Officers establishing probable cause can detain for breath testing.

Refusal results in Driver's License suspension.

Violation results in Driver's License suspension.

322.057 Discretionary Revocation or Suspension of Driver's License for certain persons who provide alcohol to persons under 21 years of age. 6 mos to 1 year

562.111 Possession of Alcoholic Beverages by Persons Under Age 21 Prohibited.

1st offense - 2nd degree misdemeanor

2nd offense - 1st degree misdemeanor

In addition the court shall direct the DHSMV to withhold issuance of, or suspend or revoke, the violator's driver's license or driving privilege.

562.11 Selling, Giving, or Serving Alcoholic Bev-

erages to Person Under Age 21.

First violation – 2nd degree misd./Second violation within 1 year – 1st deg. misd and DHSMV withhold issuance of, suspend, revoke driving privilege.

856.011 Disorderly Intoxication

No person in this state shall be intoxicated and endanger the safety of another person or property, and no person in the state shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a public disturbance. (2nd degree misdemeanor)

856.015 Open House Parties

No person having control of any residence (includes a home, apartment, condominium, or other dwelling unit) shall allow an open house party to take place at said residence if any alcoholic beverage or drug is possessed or consumed at said residence by any minor where the person knows that an alcoholic beverage or drug is in the possession or consumed by a minor at said residence and where the person fails to take reasonable steps to prevent the possession or consumption of the alcoholic beverage or drug. (2nd degree misdemeanor)

893 Drug Abuse Prevention And Control

The entire chapter contains definitions and penalties for violations of controlled substance laws. Violations range from being classified as a 1st degree misdemeanor up to a 1st degree felony. Upon conviction of a substance abuse violation, depending on the severity of the offense (misdemeanor or felony), a person may be subject to a fine in addition to a term of imprisonment or both. Fines range from \$500 up to \$10,000.

Offense Classifications and Penalties upon conviction

1st degree misdemeanor – up to a \$1000 fine, up to 1 year in local detention facility or both.

2nd degree misdemeanor - up to a \$500 fine, up to 60 days in a local detention facility or both.

Felony conviction penalties range from a term of imprisonment greater than 1 year in a state prison facility with potential fines of \$5000 to \$10,000 or both.

